

TEAMSTER WEBB KILLED AT TULSA

KILLING WAS CLIMAX OF
NEIGHBORHOOD WAR.

WAS KILLED WITH SHOTGUN

Entered Culpepper's Grocery Store
With Brother-in-Law.—West
and Culpepper in Hand-to-
Hand Combat.

Tulsa, Aug. 27.—David Webb, aged 40,
a teamster employed by the New State
Paving company, was shot and almost
instantly killed, Repps West, a brother-in-
law of Webb, was badly beaten and J. H.
Culpepper, his head swathed in bandages
is now in a cell at the county jail charged
with the killing of Webb.

The killing came as the climax of a
neighborhood war which had been exist-
ing for the past week in the section of
North Frisco avenue between the Frisco
tracks and North First street. Webb and
West entered the grocery store owned

REVOLTING DETAILS OF HORRIBLE MERRITT CASE NOW ON IN COURT UNFIT TO PUBLISH

by Culpepper shortly after 5 o'clock last
evening. Culpepper was standing in the
rear of his store and as the men entered
he moved forward. Culpepper says Webb
had his hand in his pocket in a menacing
way, and as he started to draw it out
Culpepper reached over, grabbed his shot-
gun and fired point blank into Webb's
body. The shot tore away a portion of
Webb's side and he sank to the floor, dy-
ing about fifteen minutes later.

Culpepper and West jumped for each
other and fought desperately, both receiv-
ing serious wounds. Culpepper finally
forced West out of the store. With blood
streaming from innumerable cuts and
bruises, Culpepper walked from his store
to the office of Dr. Wallace, where his
wounds were dressed. While in Dr. Wal-
lace's office Culpepper was placed under
arrest by Constable M. R. Glasgow.

Tale of Awful Criminal Assault Upon Eight Year Old Girl Being Related in Judge Brown's Court--Witnesses of Prosecution In- clude Several Physicians--Jury Selected and Trial Begins.

T. J. Rogers
Chas. Pfannkuche
Chas. Higgins
J. B. Blue
M. K. Bradin
J. L. Bumgarner
Oscar Stille
Albert Berry
Ish Hamilton
John Walker
John Byrd, Sr.
Dave Witt.

In the hands of the above twelve men
will rest the fate of T. C. Merritt, whose
trial for one of the most heinous crimes
in the annals of the courts of justice, is on
today in the district court.

The crime for which Merritt is being
tried was committed near Big Cabin, last
June, and was a criminal assault upon
Edna the little eight year old girl of Ed
Dixon, of Big Cabin. The details of the
crime as being recited by the prosecution
are so revolting to be published in the
columns of any newspaper. According to
the charge against Merritt, the little Dix-
on girl had gone to the home of an uncle
and was playing with her little cousin
when the terrible assault was committed.

As the details of the crime were related
in the court this morning, under the un-
ceasing fire of questions by the county at-
torney and an occasional question from
Judge Brown, the intense feeling of the
fair sized audience of men could be seen
by the tightly drawn faces and an occa-
sional tear that glistened in the eyes of
some. Edna Dixon, eight years old, up-
on whom the assault was made took the
stand and told of her terrible experience
in a straightforward manner and at no
time were the attorneys for the defense
able to confuse or entangle her into con-
tradictory answers to their questions.

After the selection of the jury this
morning the prosecution began the exami-
nation of their witnesses and several
medical men were included in this list
of witness. It was thought that the pro-
secution would finish its side of the case
this afternoon and although the defense
has a large number of witnesses to be ex-
amined it is thought that the case will go
to the jury tomorrow.

E. H. Brady attorney for Craig county
is conducting the prosecution and attor-
neys W. E. Clapham and A. A. Brown
have charge of the defense.

Dudley Ellis was here today for a short
time on business with the local telephone
exchange.

search party and questioning them. Most
of the entombed miners are married men.
The Giacomos are brothers and all have
large families.

The Hailey-Ola mine No. 1 is one of
the largest mines of this district and usu-
ally employs about two hundred men.
To escape from their entombment, these
miners must wait until the smoke is thin-
ned sufficiently for them to make their
way to the main passage.

Conservative opinion gives it that the
men must surely have suffocated.
There are twenty-five mules known to
have been left in the mine.

Damage to the mine company itself
will run into the thousands.

This mine has been in operation for
about nine years and has a capacity of
four hundred tons per day. The presi-
dent of the company is Dr. D. M. Hailey,
of this city, while Jas. Elliott is secretary
and general manager.

At 4 o'clock yesterday afternoon the
number of men known to be imprisoned
in the mine was twenty-eight. L. Fisher
and Pete Shultz being additional ones
discovered to be there.

It is practically certain that Red (Wal-
ter) Jones, Roy Pierce, George Glenden-
ing and Ross Milton have lost their lives.
This information is gleaned from the
miners who escaped and told sad tales
of their comrades who were unable to
reach the surface.

The fire has been extinguished.
None of the coal was burnt, only the
timber.

MANY MINERS LOSE LIVES IN TERRIBLE EXPLOSION

For Hours Men are Entombed in Furnace of
Fire at Haileyville--Mistake in Kind of Oil
Results in Awful Tragedy in Coal Mine--
Timbers of Shaft Burn like Paper--Coal
Said to Be Undamaged--Fire Is Out.

Ross Milton.
Andrew Kurilko.
Dominick Mariano
R. H. Webster
Nicholas Jacobich
W. H. Parker, (thought to be dead.)
Dan Giacomo
Joe Giacomo
Giacomo
Walter Jones, (thought to be dead.)
George Glendening
Louis Lewis
Lee Horney
Roy Pierce
Tom Reimon
Alex Ross
Toney Keets
Steve Zelonic
Bill Smith.

McAlester, Okla., Aug. 27.—The above
are the names of the miners known to be
missing as a result of one of the most
disastrous mine fires that has happened
in this district in many years.

Between twenty-five and thirty-five
men are imprisoned in Hailey-Ola mine
No. 1 at Haileyville and have been since
8:30 yesterday morning when fire catch-
ing from the opening of a barrel of what
was supposed to be non-explosive oil fired
the timbers of the shaft, filling the
mine with smoke.

W. H. Parker was the man who was
dividing the oil which was commonly us-
ed for greasing the pit cars. He was
bending over the vessel when the oil ig-
nited. Some one was heard to say just
prior to this:

"Why this is gasoline."
Parker, the man whose duty it was to
divide the oil is missing and thought to
be dead.

As soon as the report spread that the
mine was on fire Joe Lewis pit boss mar-
shaled about one hundred men and

they made safe exit through the west air
shaft.

At the time of the ignition it is thought
about one hundred and fifty men were at
work in the mine. Many struggled out
independently of the others, while
throughout the mine may be men who
failed to make their escape, by losing
their way or becoming overcome with the
dense volumes of smoke.

One of the last men coming out of the
mine stated that he left Walter Jones in
one of the entrances, too exhausted to go
any farther. That he was helping Jones
along and finally the man begged him to
go on saying he could not go any more.
Jones is thought to be dead.

In what is known as entrance No. 10
and entrance No. 11 are the imprisoned
miners. These are the two entrances fur-
ther from the shaft, where the fire is rag-
ing.

The only means of escape for the min-
ers is for them to come out either the
south entrance or the west entrance to
the mine. To do this they would have to
come by a very circuitous route.

Yesterday afternoon there was evi-
dence that some had reached the com-
pressed air pipe which ran through the
mine and had turned on the air, thus
causing a ventilation.

At 10:30 o'clock yesterday morning a
relief party of twenty-eight men started
down the south entrance with folds of
burlap to force an air current into the
mine. At 2 o'clock they had reached the
shaft where the fire was and began.

From the shaft to the point where the
miners are in prisoned is a distance of
about one half a mile.

The shaft entrance itself is closed on
account of the fire.

Many of the miners are of foreign birth.

At the entrance of the air shafts are
congregated men and women eagerly
awaiting each returning man from the

JUSTICE WILLIAMS ACTIVE IN TRIAL

Important Case may Prove Invalid-
ity of "Billups Booze Bill"

Procedure.

Guthrie, Aug. 27.—The question of
whether, under sections 5 and 6 of article
3 of the Billups bill, the legislature meant
to lay down a special procedure in cases
where intoxicating liquors are confiscated
by the state was argued at length before
the supreme court yesterday. Chief Justice
Williams taking an active part in inter-
rogating from the bench Enforcement Attor-
ney F. H. Caldwell, who was arguing the
case for the state.

The question was raised by Attorney
Caldwell filing a madamus action with
the supreme court to compel Justice Old-
field, at Oklahoma City, to try the case
now pending in his court, herein the state
is plaintiff and D. C. Stout the defend-
ent. Certain liquors were seized which were
in the custody of Stout and upon a return
being made by the sheriff in the justice
court, Stout put in a claim for the property
stating that it was some he had purchas-
ed before the prohibition law went into
effect. At the same time he filed an
affidavit for a change of venue in the
cause alleging that the justice was biased
toward him and that he could not get a
fair and impartial trial. Justice Oldfield
thereupon refused to try the case and
made an order transferring the case to
another court, contending that the gen-
eral law of procedure applied in the case
and that the defendant be granted a
change of venue, an appeal, or a trial by
jury.

Chief Justice Williams intimated in his
remarks that if Attorney Caldwell's con-
tention, that the above named sections of
the Billups bill meant that the legislature
laid down a special procedure in these
cases, was correct, then that part of the

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BIBLES ORDERED PLACED IN JAIL

JUDGE BROWN ISSUES ORDER
TO SHERIFF FOR SUPPLY.

WORTHY OF COMMENDATION

Other Side of Nature of Sometimes
Harsh Dispenser of Justice
Shown by His Efforts to
Aid Downfallen.

An order was issued by Judge T. L.
Brown of the district court, this morning,
which shows that the judge, though often
called upon to inflict dire justice upon
those who have so far forgotten the teach-
ings of their fathers as to commit crime,
still has warm sympathy for and a desire

to better the conditions of those who have
fallen from the narrow path, and this
order will serve to raise the already ex-
alted position of Judge Brown to the high-
est pinnacle in the estimation of the citizen-
ship of this district. It shows that the
judge is ever ready to stretch out a help-
ing hand to the downfallen man, to aid
and guide him back to the paths of
righteousness and respectability. The
action of Judge Brown is to be commended
and it is hoped that the fruits of his en-
deavor will serve to reward him.

The following is the order issued today:

In the District Court for the Second Judi-
cial District, State of Oklahoma, Craig
County, Sitting at Vinita.

To H. E. RIDENHOUR, Sheriff:

Believing it to be to the best interest of
society that the best possible influence
should be thrown around all mankind, and
especially those who are unfortunately
confined in the jails of the country; believ-
ing that good literature is the greatest
factor in civilization and to the up-build-
ing of society; and also believing that the
county should use every effort to throw
the best of influence around her prisoners
and furnish them with good literature.

It is therefore ordered, That you, as
sheriff of Craig county, proceed at once to
purchase not less than six nor more than
one dozen Bibles and place them in the
hands of the prisoners now in jail, said
Bibles to be of good print and of reason-
able binding, and may be placed in your
care as custodian for the proper distribu-
tion among the prisoners, same to be
charged to Craig county.

Dated this 27th day of August, 1908.

T. L. Brown,
Judge District Court, Craig County, Okla-
homa.

Ten-Fifty in Cash

entitles you to

YOUR PICK OF ALL
Kuppenheimer
Suits

left over from our spring and summer
weights suitable for all seasons included.

Eight-Fifty
Buys any 12.50 Suit

Six-Fifty
For any 10.00 Suit.

Boys' and Youth's Suits & Pants
long and short lengths, Knick-
erbockers excepted, all go at

One-Third Less
or 33 cents off on the Dollar.

Sanders-Wright
VINITA'S BIG DEPARTMENT STORE

NEW FALL STYLES IN "KUPPENHEIMERS"

MILFORD - BERGER SHOE COMPANY

A representative of A. E. ANDERSON & CO.
CUSTOM TAILORS, CHICAGO, will be at our
store with the company's fullline of samples

Tuesday, Aug. 1st.

An inspection is courted.